

Appl. No.: 10/657,775
Arndt.dated 03/06/2006
Reply to Office action of 02/15/2006

REMARKS/ARGUMENTS

In the final Office Action dated February 15, 2006, Claims 1-46 and 66-84 are pending. Claims 1-23 have been allowed, and Claims 25, 27, 28, 30-32, 35, 36, 38, 43-45, 67, 69-71, 76 and 81-83 are indicated to be allowable if rewritten in independent form. The remaining claims 24, 26, 29, 33, 34, 37, 39-42, 46, 66, 68, 72-75, 77-80, and 84 are rejected on the sole basis of being anticipated by U.S. Patent No. 5,967,402 to Kuwabara.

All of the previous rejections have been withdrawn except the rejection of independent Claims 24 and 66 and various dependent claims based on Kuwabara. Applicant appreciates the reconsideration of the claims afforded by the Examiner.

With regard to the rejection of independent Claim 24 based on Kuwabara, Applicant notes that Claim 24 was previously amended to incorporate the features of dependent claim 36 (now cancelled), which was indicated to be allowable. Accordingly, it is respectfully submitted that Claim 24 is allowable over Kuwabara. Claim 24, as amended in the last response, is directed to a method of forming a joint between at least one structural member using a sealant on a substrate. The method includes, among other steps, providing the sealant on a substrate, disposing the sealant and the substrate onto at least one faying surface, and (before joining the faying surfaces) removing the substrate from the faying surface so that the sealant remains on the faying surface in an interface. Kuwabara does not describe the steps of providing such a sealant on a substrate and disposing the sealant with the substrate, as claimed. Indeed, the Office Action does not assert that Kuwabara discloses the use of a substrate that is disposed with the sealant and then removed before the surfaces are joined.

Further, these very features were the subject of previously allowed Claim 36 (which recited “removing the substrate from the faying surface prior to said joining step such that the sealant remains on the faying surface”) and Claim 35, which was not rejected based on Kuwabara (and which recited “providing the sealant on a substrate, and wherein said disposing step comprises disposing the sealant and the substrate onto at least one of the faying surfaces”).

Accordingly, Applicant respectfully submits that Claim 24 is allowable over Kuwabara for these reasons and respectfully requests reconsideration. Claims 26, 29, 33, 34, 37, 39-42, and 46 depend from Claim 24 and should also be allowable for the same reasons.

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Claim 66, which was added in the previous response, is directed to a method similar to original Claim 24 (including the steps highlighted above) but also incorporates features of dependent Claim 27. Claim 27 has never been rejected based on Kuwabara, and Applicant submits that Claim 66 is similarly allowable over Kuwabara. In particular, Claim 66 recites a method of forming a joint between at least one structural member. The method includes disposing a sealant in an interface, initiating an exothermic reaction in the sealant, and welding the at least one structural member at the interface to form a weld joint that is at least partially sealed by the sealant. Further, the initiating step is performed at a time that is non-concurrent with the welding step. Kuwabara, on the other hand, does not disclose initiating an exothermic reaction at a time that is non-concurrent with a welding step. In fact, Kuwabara is not even directed to a welding method and discloses spot welding only as a comparative example for comparison to the disclosed joining method. Instead, Kuwabara discloses a "cold joining method or a method for joining members at ordinary temperature" that uses a sintered compact. Indeed, the Office Action does not assert that Kuwabara discloses a welding step or that an exothermic reaction is initiated at a time that is non-concurrent with the welding step.

Further, as noted above, the features of Claim 66 were derived from Claims 24 and 27, and Claim 27 (which recites that "said joining step comprises welding the structural members at the interface for form a weld joint between the structural members") was never rejected based on Kuwabara and is now indicated to be allowable over all of the cited references.

Accordingly, Applicant respectfully submits that Claim 66 is allowable over Kuwabara for these reasons and respectfully requests reconsideration. Claims 68, 72-75, 77-80, and 84 depend from Claim 66 and should also be allowable for the same reasons.

For the foregoing reasons, Applicant requests reconsideration of the rejection of Claims 24, 26, 29, 33, 34, 37, 39-42, 46, 66, 68, 72-75, 77-80, and 84 and respectfully submits that all of the pending Claims 1-46 and 66-84 are now allowable.

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CONCLUSIONS

In view of the remarks presented above, Applicant submits that the present application is in condition for allowance. As such, the issuance of a Notice of Allowance is therefore respectfully requested. In order to expedite the examination of the present application, the Examiner is encouraged to contact Applicant's undersigned attorney in order to resolve any remaining issues.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

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CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the U. S. Patent and Trademark Office at Fax No. (571) 273-8300 on the date shown below.

Grace R. Rippy

3/6/06

Date